

AO 247 (02/08) Order Regarding Motion for Sentence Reduction

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AT DANVILLE, VA

## UNITED STATES DISTRICT COURT

MAR 17 2008

for the

Western District of Virginia

JOHN F. GORCORAN, CLERK  
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United States of America )

Yolanda Yvonne Hawkins v. )

Case No: 7:02CR00111-001

USM No: 09581-084

Date of Previous Judgment: October 17, 2003

(Use Date of Last Amended Judgment if Applicable)

Defendant's Attorney

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☐ the defendant ☐ the Director of the Bureau of Prisons ☒ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 96 months months is reduced to (see comments).

## I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 27Amended Offense Level: 23Criminal History Category: IIICriminal History Category: IIIPrevious Guideline Range: 87 to 108 monthsAmended Guideline Range: 57 to 71 months

## II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☒ The reduced sentence is within the amended guideline range.  
☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.  
☐ Other (explain):

## III. ADDITIONAL COMMENTS

Amended Sentence: 66 months OR time served, whichever is longer.

This is an unusual case where the multiple drug conversions to marijuana equivalencies under the amended guideline result in a 4-level decrease in the base offense level.

Except as provided above, all provisions of the judgment dated 10/17/2003 shall remain in effect.

IT IS SO ORDERED.

Order Date: 3-17-08
  
 Judge's signature

 Effective Date: 3-17-08  
 (if different from order date)

 Jackson L. Kiser, Senior United States District Judge  
 Printed name and title